

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
V.	)	Case No. 08-00023-01/02-CR-W-DW
	)	
STEPHEN S. MILLER, et. al.,	)	
	)	
Defendant.	)	
_____	)	

**UNOPPOSED JOINT MOTION TO  
EXTEND DEADLINE TO FILE OBJECTIONS TO DEFENDANTS'  
PRELIMINARY PRESENTENCE INVESTIGATION REPORT**

COMES NOW, Lance D. Sandage, counsel for defendant Stephen S. Miller and Robert Becerra, counsel for defendant Sally Miller, move this Court for an Order extending the deadline to file objections to the preliminary presentence investigation report from November 24, 2009 to December 15, 2009. Undersigned counsel states the following in support.

**SUGGESTIONS IN SUPPORT**

1. On June 16, 2009 defendants Sally Miller, Stephen Miller and ChemNutra, Inc. entered guilty pleas pursuant to a written plea agreement. The defendants entered pleas of guilty to Counts 1 and 14 of the 27-count Indictment. The Court accepted the guilty pleas and ordered that a presentence investigation report be completed by the United States Probation office.

2. Defendants Sally Miller and Stephen Miller received a preliminary presentence investigation report on November 9, 2009. The defendants were informed that the deadline to file objections is November 24, 2009.

3. The preliminary presentence investigation report for ChemNutra, Inc. is not yet completed. The parties anticipate that ChemNutra's preliminary report will be distributed sometime within the next 10 days.

4. ChemNutra, Inc. is a company owned by Stephen and Sally Miller. Thus the preliminary presentence investigation report for ChemNutra, Inc. will include information directly related to both Stephen and Sally Miller.

5. Many objections to the preliminary presentence investigation report will be the same for all the defendants and it is anticipated that some "joint" objections will be filed. Allowing defendants Sally and Stephen Miller time to review the ChemNutra, Inc. preliminary presentence investigation report before filing objections to their individual reports will ensure that common issues will be handled appropriately.

6. AUSA Gene Porter has been contacted regarding the request to extend the deadline and the government has no objection.

7. The relief requested in this motion is not meant to cause undue delay but rather ensure that the defendants are given adequate time to prepare their objections to the preliminary presentence investigation report.

WHEREFORE, for the reasons stated herein, defendants Stephen Miller and Sally Miller pray for an Order of this Court extending the deadline to file objections to the preliminary presentence investigation report from November 24, 2009 to December 15, 2009 or for whatever other relief this court deems just and proper.

Respectfully submitted,

**THE SANDAGE LAW FIRM, P.C.**

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CHEMNUTRA, INC.

**CERTIFICATE OF SERVICE**

In accordance with Rule 49(a),(b), and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ.P., it is hereby CERTIFIED that one copy of the foregoing motion was electronically sent to AUSA Gene Porter, AUSA Joseph Marquez and to all defense counsel of record, this 19<sup>th</sup> day of November, 2009.

/s/ Lance D. Sandage  
Lance D. Sandage